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OFFICE OF PETITIONS

In re Application of :
Richard O. Glasson :
Application No. 10/722,789 :
Filed: November 26, 2003 :
Attorney Docket No. CPI 3 CON :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed April 26, 2005, to revive the above-identified application.

The Office hereby acknowledges receipt of \$750 for the petition to revive fee, an amendment, \$510 for a three month extension of time, and two terminal disclaimers, under 37 CFR 1.321, with \$65 for each filing.

Since petitioner has met the requirements to revive the above-identified application, pursuant to 37 CFR 1.137(b), the petition is **GRANTED**.

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, the \$510 extension of time submitted with the petition on April 26, 2005 was subsequent to the maximum extendable period for reply; therefore, this fee is unnecessary and will be credited to petitioner's deposit account.

The application file is being referred to Technology Center Art Unit 3745, for review of the amendment filed with the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3226.

Andrea Smith
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy